

Atty. Docket No. DP-302096 (DEL01 P-333)

## CERTIFICATE OF MAILING

I hereby certify that this paper, together with all enclosures identified herein, are being deposited with the United States Postal Service as first class mail, addressed to Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date indicated below.

04-15-04

Date

Sharla A. Waller

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit

2654

Examiner

Angela A. Armstrong

Applicants Appln. No.

Scott A. Deyoe et al. 09/483,699

Filing Date

January 14, 2000

Confirmation No.

8714

For

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Mail Stop Appeal Brief-Patents Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

APR 2 1 2004

Technology Center 2600

Dear Sir:

## EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants hereby request reinstatement of the Appeal to the Board filed on May 9, 2003, from the decision of the Primary Examiner mailed August 1, 2003, and further from the decision of the Primary Examiner mailed January 15, 2004, finally rejecting claims 1-5, 8, 10-20, 23, 25-37, 40 and 42-48 and objecting to claims 6, 7, 21, 22, 38 and 39.

The item(s) checked below are appropriate:

## 1. STATUS OF APPLICANTS

This application is on behalf of:

x other than a small entity small entity

Applica Appln. Page			09/483,699 2	al.							
rage		•									
		Verified Statement									
		<del></del>	attached previously submitte	ed on							
		<del></del>	, and a second								
2.	FEE F	FOR FILING A REQUEST FOR REINSTATEMENT OF APPEAL									
March	Pursuant to 37 C.F.R. §1.17(b) the fee for filing the Notice of Appeal was paid on ech 11, 2003:										
	<u>x</u>	small o	entity than a small entity								
	•			Notice of Appeal fee due:	\$ <u>0.00</u>						
3.	Exte	NSION O	F TERM								
			(complete	(a) or (b) as applicable)							
§1.136	-		ngs herein are for a p	patent application and the provisi	ions of 37 C.F.R.						
	(a) Applicants petition for an extension of time under 37 C.F.R. §§1.17(a)-(d) for the total number of months checked below:										
		Extens		Fee for other than small entity	Fee for small entity						
		one mor	nth	\$110.00	\$55.00						
	1	two moi	nths	\$380.00	\$190.00						
	three months			\$870.00	\$435.00						
		four mo	onths	\$1360.00	\$680.00						
				Fee:	\$ <u>0.00</u>						
If a	n addi	tional e	extension of time is	required, please consider this a	petition therefor.						
	(b)	<u>x</u>	conditional petition	that no extension of term is required in is being made to provide for advertently overlooked the need ne.	or the possibility that						

Applic Appln. Page	ants No.	: :	Scott A. Deyoe et al. 09/483,699								
4.	TOTAL FEE DUE										
	The total fee due is:										
			of Appeal fee: ion fee (if any):	\$ \$	Total Fee Due:	\$ <u>0.00</u>					
5.	FEE PA	YMENT	Γ								
Attached is a check in the sum of \$  Charge Account No. 16 2463 the sum of \$											
	A duplicate of this transmittal is attached.										
6.	FEE DEFICIENCY										
	x If any additional extension and/or fee is required charge Account No. 16-2463										
and/or											
If any additional fee for claims is required, charge Account No. 16-24											

Respectfully submitted,

SCOTT A. DEYOE ET AL.

By: PRICE, HENEVELD, COOPER, DEWITT & LITTON, LLP

04-15-04 Date

Michael R. Long

Registration No. 42 808

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MRL/saw